

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DARRYL C. CARTER,

Plaintiff,

-against-

GARY JENKINS, et al.,

Defendants.

22-CV-10326 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, who is appearing *pro se*, brings this action under 42 U.S.C. § 1983, alleging that Defendants violated his rights by denying him benefits and placing him in inadequate housing. By order dated December 7, 2022, the Court granted Plaintiff's request to proceed *in forma pauperis* ("IFP"), that is, without prepayment of fees.

On December 7, 2022, Plaintiff requested the issuance of summonses (ECF 8), and on December 11, 2022, Plaintiff requested leave to file an amended complaint (ECF 9). On December 23, 2022, the Court denied Plaintiff's request for the issuance of summonses, without prejudice to renewal, and granted his request to file an amended complaint. (ECF 12.)

On December 27, 2022, Plaintiff filed another motion to amend his complaint (ECF 13.) On December 29, 2022, he filed a notice of criminal harassment concerning the issuance of summonses in this case (ECF 14), and on February 8, 2023, the Court received a filing Plaintiff submitted to the United States Court of Appeals, seeking mandamus relief regarding the issuance of summonses (ECF 15).

CONCLUSION

The Clerk of Court is directed to terminate motions at Doc. No. 8 and No. 9, as the Court addressed these motions in the December 23, 2022, order. (*See* ECF 12.) The Clerk of Court is

also directed to terminate the motion at Doc. No. 13 as moot. Finally, the Clerk of Court is directed to file pages 11 through 46 of Plaintiff's "ReNoticed Motion to Amend," at Doc. No. 13, as an amended complaint in this action.

SO ORDERED.

Dated: February 16, 2023
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge